

DATE 2011

AM REGIMENT

PREP DROP Actual

BED BOOK

Lay-in

M.A.I.

MEAL-CARD

Misc. EVENTS / ISSUES

SUN.									
5.22									* 3:00 AM wake-up for insulin is a constant DENOMINATOR.
(5.23)	2:52	3:55	4:25						
5.24	3:12	3:25	4:17	11:46	9:47				
(5.25)	2:37	3:46	4:00	11:35					
5.26	3:04	3:30	4:07	11:56	9:18	9:43			
* 5.27	3:06	3:26	UNK	11:30	10:47				* CO - woke EVERYONE up to insure they were "Alive and Kicking" @ 12:47 AM.
5.28	-	<del>3:10</del>	3:24	10:04	9:10				
5.29	-	-	-	-	9:30				
5.30	-	3:22	3:41	-	-	-			
5.31	-	-	-	11:46	-	9:15	12:10 AM		
6.1	3:45	3:56	4:10	11:30	10:30	9:05			
6.2	-	4:05	4:22	11:57	8:47	8:36			
* 6.3	2:52	3:12	-	-	-	-			* Rolled Doors for necessities @ 12:05 AM.
6.4	-	-	-	12:46 AM	-	-			
SUN. (6.5)	3:22	4:07	-	-	-	-			
(6.6)	3:13	4:09							
6.7									
6.8	3:15	4:07	4:21	-	1:30 AM	10:00 PM			
6.9	2:49	3:36	4:07						
6.27				11:52	<del>10:10</del>	10:10			
6.28				2:12					
6.29									
6.30						10:10			
7.1				1:05	<del>2:12 AM</del>	2:12 AM			
7-5	Lock-down								

DATE 2011	AM REARMENT				Bed Book	LAY-IN	Mail	Meal card
	PREP	Drop	Actual					
8-1	3:26	4:06	4:35	NONE	9:45P	UNK		
8-2	3:10	4:12	4:25	NONE	1:45 AM	9:15		
8-3	3:10 A	3:20	3:21	NONE	2:30 AM	9:28		
8-4	3:36	3:57	4:10	11:45	—	9:04		
8-5	3:10	3:22	3:23	11:52	—	9:12		* Smoothed chow run since incarceration - IT CAN BE DONE.
8-6	3:37	3:55	4:10	11:36	—	10:49		
* 8-7	4:22	4:35	4:57	—	—	9:30		* CO woke EVERYONE up @ 11:49 PM to say hi and asked if we were OK.
8-8				—				
8-9				—		10:38		
8-10	—	4:10	4:57	12:13A	1:07 AM	9:47		
8-11								
8-12					9:36	8:40		
8-13	3:10	3:22	3:55	1:38 AM				* CO woke EVERYONE up
8-14				11:34	—	—		Just to ask if they're
8-15	3:01	4:03	4:10	11:07	12:06	—		Alive & *Kicking
8-16	3:40	3:58	4:49	11:46	9:25	10:07		
8-17	3:19	4:25	5:02	11:30	1:03	12:26		
8-18	3:25	3:37	5:05	11:36	UNK*	10:06		* Lay-in put in door
8-19	3:07	4:22	4:56	—	9:15	9:15		* what a concept; Mail and
8-20	—	3:55	4:22					Lay-ins at the same time,
8-21	—	—	—		6:10 PM			AND EARLY too.
22	—	—	—					
23	3:36	3:52	7:56		UNK	12:36		
24	UNK	UNK	UNK	—	11:45	11:22		
25	—	—	—	11:45	—	9:20		

DATE 2011

# AM PERIMENT

PROP DROP ACTUAL

BSO book

LAY-IN

MAIL

MEAL CARD

MISC EVENTS / ISSUES

4.15

4.16

4.16

\* 4.17

\* 4.18

\* 4.19

\* 4.20

\* 4.21

\* 4.22

\* 4.23

4.24

4.25

4.26

4.27

4.28

4.29

4.30

3:42

4:10

3:36

4:05

3:49

3:05

3:26

3:57

3:13

3:49

4:16

3:18

4:03

4:27

12:15

1:27

1:38

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11:38

10:22

1:48

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1:48

1:35

11:30

10:35

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12:10

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10:30

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10:12

\* 5:00 AM wake-up for insulin EVERY DAY

\* TV WAS left on late to ACCOMMODATE NBA finals

DATE 2012	AM REGIMENT			PM REGIMENTS				COMMENTS/SPECIAL CIRCUMSTANCES/EVENTS
	PREP	DROP	Actual	Roster	LAY-IN	ATRI	MEAL	
4-11	Ø	0328	0418	11:42	11:04	10:25	-	*4-11- officer Lowinski <u>ordered</u> all Ed, Voc, laundry and shoe factory into the day room @ 3:28
4-12	-	UNK	-	11:48	10:56	10:15	-	with no advance notice (prep) - whether you
4-13	-	UNK	-	0136	Ø	Ø	-	wanted breakfast or not - SEE GRIEVANCE.
4-14	-	UNK	-	Ø	UNK	2212	-	
4-15	-	UNK	-	2322	2100	UNK	-	
4-16	0247	0332	0355	Ø	UNK	UNK	-	
4-17	0318	0338	0406	2341	UNK	2307	-	
4-18	Ø	0345	0355	2328	UNK	UNK	-	← This is how its suppose to
4-19	0318	0330	0440	-	2255	UNK	-	Run
4-20	0335	0415	0430	2346	UNK	2105	-	
4-21	UNK	UNK	UNK	2333	UNK	UNK	-	
4-22	UNK	UNK	UNK	2314	2100	2100	-	
4-23	0355	0405	UNK	2325	2035	2100	-	
4-24	-	0335	UNK	-	UNK	UNK	-	
4-25	-	0346	0410	2318	UNK	2025	-	
4-26	0350	0410	0430	2335	2018	2018	-	
4-27	UNK	UNK	UNK	2342	UNK	Ø	-	
4-28	0310	0345	0355	2310	UNK	Ø	-	
4-29	UNK	UNK	UNK	-	UNK	UNK	-	
*4-30	0244	0424	0435	2342	2145	UNK	1815	*4-30- officer Ordered all, shoe factory, ed, Voc, and laundry to "get ready" at 0244 then didn't drop us until
5-1	0311	0422	0437	2330				SEE GRIEVANCE



**Texas Department of Criminal Justice**  
**INSTITUTIONAL DIVISION**  
**Inter-Office Communications**

4

To: All Clements Unit Staff & Offenders

Date: October 7, 2010

From: John Adams, Senior Warden  
Clements Unit

Subject: Unit Safety Policy Statement

\* Safety on the job is a primary responsibility of every employee and offender. Employee/Offender safety cannot succeed without every individual's sincere diligent effort. It is the responsibility of the Unit Risk Manager to coordinator this effort. (TDCJ has gone to great expense to provide safe working conditions throughout the unit.) It is the supervisor's/employee's responsibility to make every reasonable effort to ensure a safe working environment in his or her area at all times.

\* The contributing factor in over 60% of all accidents involves both the employee and his/her environment. The supervisor/employee must, therefore, be constantly on the alert for incidents of human error and mechanical failure. He or she must take the initiative to make corrections where he/she has such authority. Any condition or employee practice that is likely to cause an accident must be reported immediately to a Supervisor and the Unit Risk Management Department.

Aside from acts of nature supervisors and employees must be convinced that accidents are caused; they don't just happen and therefore can be avoided. An act of negligence, a disregard for established rules or procedures, being in a hurry, improperly guarded machinery, lack of or improper maintenance and sanitation all can cause an accident.

To make the Clements Unit safety program effective, every Department Head / Supervisor shall ensure that:

- ① Work is not assigned that is hazardous or located in a hazardous area until all steps have been taken to provide for the safety of all concerned. No employee/offender will knowingly be exposed to occupational safety hazards. Compliance with established safety practices is the responsibility of all TDCJ staff and offenders.
- ② All employees/offenders have received proper job safety instruction and are familiar with all applicable TDCJ safety and health rules and regulations.
- ③ Work areas are frequently inspected for safe working practices and environment.
- ④ All safety and health deficiencies are corrected immediately and not repeated.
- ⑤ Accidents are investigated and corrective action initiated where necessary.

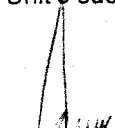
Like the Department Head/Supervisor, every employee/offender has a specific role in our loss-prevention efforts. Each employee/offender is expected to participate actively in the Safety Program and observe all established precautionary measures.

**Reporting Injuries:** Injuries, no matter how minor, must be reported to a supervisor and referred to Unit Medical.

**Workers' Compensation:** Employees who sustain an occupational injury or illness will be compensated in accordance with the State Workers' Compensation Act. In order to receive such benefits, the appropriate notification and medical reports must be provided by the employee.

**Personal Protective Equipment:** (Where necessary, by reason of hazard, TDCJ will provide the necessary personal protective equipment to ensure the well being of the employee/offender.

Management is committed to provide the leadership and support required to establish and maintain an effective safety and health program; however, in the final analysis, remember you can prevent accidents and eliminate hazards. You are a very important part of the Clements Unit's successful Safety program and a valuable member of the Unit Safety Team.

  
John Adams, Senior Warden, Clements Unit

10/07/2010  
Date



# TEXAS DEPARTMENT OF CRIMINAL JUSTICE OFFENDER SAFETY REGULATIONS

Each new commitment will be required to read and sign the below safety regulations. In the event the offender cannot read, these regulations will be read and explained to him and this fact indicated in the signature area. If for any reason an offender refuses to sign, this fact will also be noted on the bottom portion of this form.

\*\*\*\*\*  
X DISCIPLINARY ACTION MAY RESULT FROM FAILURE TO FOLLOW THE FOLLOWING SAFETY REGULATIONS. X

1. Every effort will be made to provide a safe work area and environment for each offender worker and to provide the appropriate safety equipment for each individual. *Apply to Staff as well*
2. It is the responsibility of each offender worker to use the safety equipment issued to protect them against physical injury and/or health hazards. Make certain you follow instructions for properly wearing required personal protective equipment such as goggles, aprons, arm guards, hard hats, and respirators before you begin an operation.
3. You must wear safety goggles or glasses when performing any grinding, chiseling, filing, or chipping operations.
4. Hearing protection must be worn on all work stations designated as high noise level areas.
5. Appropriate footwear will be determined by your supervisor and the Unit Risk Management Coordinator.
6. Report all safety hazards immediately to your work supervisor. Do not continue to work in any area or on any machinery or equipment that is deemed unsafe or improperly guarded by the work supervisor. If your work supervisor does not agree that an unsafe condition exists, the fact should be reported by you to the Unit Risk Management Coordinator either verbally or by written document. *Delib. Ind.*
7. Offenders will perform only work that is assigned to them, and with machines or equipment on which training has been received. Operating machines or equipment without being properly trained and without clearance from Unit Maintenance is strictly forbidden.
8. Operating equipment without using the safety guard(s) provided or removal of the safety guard(s) is forbidden.
9. The fabrication or repair of personal items on State equipment (except when authorized in the Craft Shop) is against safety regulations and is prohibited.
10. Do not try to adjust, oil, clean, repair or perform any maintenance on any machine while it is in motion and not properly locked out.
11. Do not lift weights at recreation until authorized by the Medical Department.
12. All offenders participating in recreational activities will exercise care and common sense and will follow all game rules when participating in organized sporting activities. Horseplay during recreational activities will not be tolerated.
13. Do not ride on the draw bars of farm vehicles. The operator is the only person authorized to ride on a tractor, forklift or tow vehicle.
14. Do not stand up in moving vehicles. Do not let legs hang over the sides of trailers. Do not attempt to dismount until the vehicle has stopped completely.
15. Offenders who are injured while performing their assigned duties will immediately report such injury to their work supervisor (staff member). Report a work injury to your Supervisor immediately.
16. It is the responsibility of each offender worker to exercise care, cooperation, and common sense in conducting his assigned work. Horseplay on the job will not be tolerated.

\*\*\*\*\*  
I HAVE READ AND UNDERSTAND THE ABOVE SAFETY RULES:

\_\_\_\_\_  
OFFENDER SIGNATURE

\_\_\_\_\_  
OFFENDER NUMBER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESSED BY

\_\_\_\_\_  
TITLE

cc: Signed copy to Records Office (OFFENDER JACKET)

(Spanish version available on request – Versión español disponible)

AN EXERCISE in hypocrisy -  
Item 16 - Del. Ind.



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

Ex Parte §  
STEVEN MICHAEL BACKSTROM § WITNESS DECLARATION  
v. §  
RICK THAYLER, Director, TDCJ-ID § CIVIL ACTION NO. \_\_\_\_\_  
Respondent §  
§

I am currently incarcerated at the W.P. Clements unit(TDCJ-ID), located at; 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, i am currently, or have been in the past the past, an inmate employee at the W.P. Clements unit Shoe Factory, and do declare under penalty of perjury that every one of the following questions are true and correct.

- 1) Are you now, or have you ever been ordered to work on the "DESMA" soling machine..? yes X no \_\_\_\_\_
- 2) At any time, at any position oyu were ordered to work at, were you "TRAINED" [by] an INMATE or CIVILIAN employee ? (circle one)
- 3) Upon leaving one position to move to another position, were you ever the one to TRAIN the inmate releiving you ? yes X no \_\_\_\_\_

\*IF NOT, was that inmate trained by an inmate or civilian employee [BEFORE] he relieved you ? INMATE or CIVILIAN employee ?(circle one)

- 4) At any point during your tenure at the W.P. Clements Shoe Factory did you witness any employee (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION ? yes X no \_\_\_\_\_

\*\*IF YES...WHO and WHAT JOB POSITION...? HOW LONG DID THIS "TRAINING" LAST...? OR WHAT DID THE "TRAINING" CONSIST OF..?

the so called training lasted about 1-2 minutes

- 5) At any time have you participated in ANY "TRAINING" MEETING OR SEMMINAR partaining to the safe operations of ANY PORTION of your JOB ASSIGNMENT in the W.P. Clements unit Shoe Factory...as oposed to, ..."simply signing a document provided by a civilian employee"?

yes X no \_\_\_\_\_

6) Have you ever been injured while "EMPLOYED" to work on a "GESMA"?  
yes \_\_\_\_\_ no X

\*\*\*IF your answer to #6) was yes, please state the date (approx.) the incident occurred ( \_\_\_\_\_ ) and briefly describe your injuries;  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7) Are you constantly awakened by TDCJ-ID staff at the W.P. Clements unit [after] rack-time (10:30 p.m.) for ROSTER COUNT or for things such as; mail call, layins, meal cards being passed out etc.. and does it affect your awareness and attention capabilities at work..?  
yes X no \_\_\_\_\_

\*\*\*IF you had an accident at work (injury) was this sleep deprivation a contributing factor? yes \_\_\_\_\_ no \_\_\_\_\_

8) Approx. how many hours of sleep do you think you average per night during your work-week? 3 to 4 HRS.

9) Approx. how many hours of "UNINTERRUPTED" sleep do you get during a single night? 3 to 4 HRS. (during your work-week)

Herbert F Garza

Signature

Herbert F GARZA

Print Name

1598977

TDCJ-ID#

W.P. Clements unit

Address

9501 Spur 591

Amarillo, Tx. 79107-3606

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

Ex Parte §  
STEVEN MICHAEL BACKSTROM § WITNESS DECLARATION  
v. §  
RICK THAYLER, Director, TDCJ-ID § CIVIL ACTION NO. \_\_\_\_\_  
Respondent §  
§

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- 1) Are you now, or have you ever been ordered to work on the "DESMA" soling machine..? yes ☒ no ☐
- 2) At any time, at any position oyu were ordered to work at, were you "TRAINED" [by] an INMATE or CIVILIAN employee ? (circle one)
- 3) Upon leaving one position to move to another position, were you ever the one to TRAIN the inmate releiving you ? yes ☒ no ☐

\*IF NOT, was that inmate trained by an inmate or civilian employee [BEFORE] he relieved you ? INMATE or CIVILIAN employee ?(circle one)

- 4) At any point during your tenure at the W.P. Clements Shoe Factory did you witness any employee (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION ? yes ☐ no ☒

\*\*IF YES...WHO and WHAT JOB POSITION...? HOW LONG DID THIS "TRAINING" LAST...? OR WHAT DID THE "TRAINING" CONSIST OF..?

- 5) At any time have you participated in ANY "TRAINING" MEETING OR SEMMINAR pertaining to the safe operations of ANY PORTION of your JOB ASSIGNMENT in the W.P. Clements unit Shoe Factory...as oposed to, ..."simply signing a document provided by a civilian employee"?

yes ☐ no ☒

6) Have you ever been injured while "EMPLOYED" to work on a "DESMA"?  
yes \_\_\_\_\_ no ☒

\*\*\*IF your answer to #6) was yes, please state the date (approx.) the incident occurred (\_\_\_\_\_) and briefly describe your injuries;

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7) Are you constantly awakened by TDCJ-ID staff at the W.P. Clements unit [after] rack-time (10:30 p.m.) for ROSTER COUNT or for things such as; mail call, layins, meal cards being passed out etc.. and does it effect your awareness and attention capabilities at work..?  
yes ☒ no \_\_\_\_\_

\*\*\*IF you had an accident at work (injury) was this sleep deprivation a contributing factor ? yes \_\_\_\_\_ no \_\_\_\_\_

8) Approx. how many hours of sleep do you think you average per night during your work-week ? 5 to 4 HRS.

9) Approx. how many hours of "UNINTERRUPTED" sleep do you get during a single night ? 5 to 4 HRS. (during your work-week)

Mike Grey  
Signature

Mike Grey  
Print Name

867264  
TDCJ-ID#

W.P. Clements unit

Address

9601 spur 591

Amarillo, Tx. 79107-9606

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

BACKSTROM,  
Plaintiff pro-se

v.  
THAYLER, et.al.  
~~THAYLER, et.al.~~  
Defendants

WITNESS DECLARATION

CIVIL ACTION NO. \_\_\_\_\_

I am currently incarcerated at the Texas Dept. of Crim. Justice, W.P. Clements unit, located at, 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and declare under penalty of perjury that every one of the following questions answered are true and correct to the best of my knowledge....:

- 1) Are you now or have you ever been ordered to work on the "DESM" sewing machine " yes ☒ no ☐
- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN ? (circle one)
- 3) Upon leaving one position to move into another position were you responsible "to train the inmate relieving you ? yes ☒ no ☐
- IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you ? yes ☐ no ☐
- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION.? yes ☒ no ☐

IF YES....WHO AND WHAT JOB POSITION.....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...?

The training lasted only a few minutes and it didn't involve any safety issues.

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SEMINAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee ? yes ☐ no ☒
- 6) Have you ever been injured while "EMPLOYED" to work on a "DESM" machine.? yes ☐ no ☒

.....Cont.....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (      -      -      ) and briefly described your injuries;

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#7) Are you constantly awakened by TDCJ-ID staff at W.P. Clements unit after rack-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYINS BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes      no      and;      IF YES, does it effect your awareness and attention capabilities at work...? yes      no      .....

\*\*\*IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUTING FACTOR.....? yes      no     

Mason Hughes  
Signature

MASON HUGHES  
Print Name

01157700  
TDCJ-ID#

9601 spur 591  
Address;

W.P. CLEMENTS UNIT (TDCJ-ID)

ABRILLO, TX. 79107-9606

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

BACKSTROM,  
Plaintiff pro-se

§

§

WITNESS DECLARATION

v.

§

THAYLER, et.al.  
Defendants

CIVIL ACTION NO. \_\_\_\_\_

§

§

I am currently at the Texas Dept. of Crim. Justice, W.P. Clements unit located at 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and do declare under penalty of perjury that every one of the following questions are answered true and correct to the best of my knowledge....;

- 1) Are you now, or have you ever been ordered to work on the "DESMA" soling machine...? yes ☒ no ☐
- 2) At any time at any position you were ordered to work at, WERE YOU "TRAINED" [BY] an INMATE or CIVILIAN? (circle one)
- 3) Upon leaving one position to move to another position were you ever the one responsible 'to train' the inmate relieving you? yes ☐ no ☒

IF NEITHER, was THAT inmate trained [by] an inmate or employee [BEFORE] he relieved you? yes ☐ no ☐

- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION? yes ☐ no ☒

IF YES....WHO AND WHAT JOB POSITION....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? \_\_\_\_\_

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SEMINAR pertaining to the safe operation(S) of ANY portion of your JOB in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee? yes ☐ no ☒

- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine...? yes ☐ no ☒

...cont....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (       -      -       ) and briefly describe your injuries;

\_\_\_\_\_

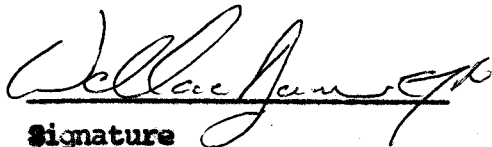
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7) Are you constantly awakened by TDCJ-ID W.P. Clements unit staff after rack-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYENS BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes X no \_\_\_\_\_ and; IF YES , does it effect your awareness and attention capabilities at work..? yes X no \_\_\_\_\_

\*\*\*IF YOU HAD AN ACCIDNET/INJURY AT WORK, WAS THIS A CONTRIBUTING FACTOR DO YOU THINK "? YES X NO \_\_\_\_\_



Signature

WALLACE BOWMAN JR.

Print Name

1638747

TDCJ-ID#

9601 spur 591

Address

W.P. Clements unit(TDCJ-ID)

Amarillo, Tx. 79107-9606

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

BACKSTROM,  
Plaintiff pro-se

§

§

WITNESS DECLARATION

v.

THAYLER, et.al.

§

~~THAYLER XXXXXX~~

CIVIL ACTION NO. \_\_\_\_\_

Defendants

§

§

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- 1) Are you now or have you ever been ordered to work on the "DESMA" soling machine " yes ☒ no \_\_\_\_\_
- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN ? (circle one)
- 3) Upon leaving one position to move into another position were you responsible 'to train the inmate relieving you ? yes ☒ no \_\_\_\_\_

IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you ? yes \_\_\_\_\_ no \_\_\_\_\_

- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION.? yes ☒ no \_\_\_\_\_

IF YES.....WHO AND WHAT JOB POSITION.....HOW LONG DID THIS "TRAINING"

LAST....OR WHAT DID HIS TRAINING CONSIST OF...? Mr. Tomson

Training an offender to RE-HEAT the CANVAS material.

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMINAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee ? yes \_\_\_\_\_ no ☒

- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine.? yes \_\_\_\_\_ no ☒...

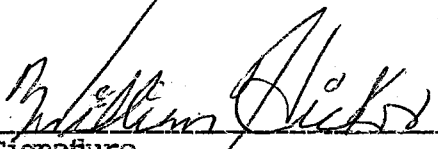
....cont.....

If your answer to #6) was yes : please state the date (approx.) the incident occurred (\_\_\_\_ - \_\_\_\_ - \_\_\_\_ ) and briefly described your injuries:

N/A

#7) ~~Are~~ you constantly awakened by TDCJ-ID staff at W.P. Clements unit after rack-  
-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYINS BEING  
PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes ☒ no ☐  
and; IF YES, does it effect your awareness and attention capabilities at work..?  
yes ☒ no ☐ .....

\*\*\*IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUT-  
-ING FACTOR.....? yes ☐ no ☐

  
\_\_\_\_\_  
Signature

William Hicks  
\_\_\_\_\_  
Print Name

839032  
\_\_\_\_\_  
TDCJ-ID#

9601 spur 591  
\_\_\_\_\_  
Address;

W.P. CLEMENTS UNIT (TDCJ-ID)  
\_\_\_\_\_

AMARILLO, TX. 79107-9606  
\_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

BACKSTROM,  
Plaintiff pro-se

v.  
THAYLER, et.al.  
~~XXXXXXXXXXXXXX~~  
Defendants

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WITNESS DECLARATION

CIVIL ACTION NO. \_\_\_\_\_

I am currently incarcerated at the Texas Dept. of Crim. Justice, W.P. Clements unit, located at, 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and declare under penalty of perjury that every one of the following questions answered are true and correct to the best of my knowledge....;

- 1) Are you now or have you ever been ordered to work on the "DEMA" soling machine " yes X no \_\_\_\_\_
- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN ? (circle one)
- 3) Upon leaving one position to move into another position were you responsible 'to train the inmate relieving you ? yes X no \_\_\_\_\_  
IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you ? yes \_\_\_\_\_ no \_\_\_\_\_
- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION.? yes \_\_\_\_\_ no X

IF YES....WHO AND WHAT JOB POSITION.....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? \_\_\_\_\_

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMILAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to....simply signing a document provided by a civilian employee ? yes \_\_\_\_\_ no X
- 6) Have you ever been injured while "EMPLOYED" to work on a "DEMA" machine.? yes \_\_\_\_\_ no X...

....Cont.....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (       -      -       ) and briefly described your injuries;

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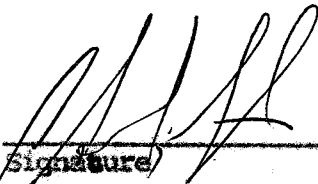
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#7) Are you constantly awakened by TDCJ-ID staff at W.P. Clements unit after rack-  
-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYINS BEING  
PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes X no         
and; IF YES, does it effect your awareness and attention capabilities at work..?  
yes X no       .....

\*\*\*IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUT-  
-ING FACTOR.....? yes        no       



Signature

Christopher Southern  
Print Name

#1423466

TDCJ-ID#

9601 spur 591

Address;

W.P. CLEMENTS UNIT (TDCJ-ID)

AMARILLO, TX. 79107-9606

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

BACKSTROM,  
Plaintiff pro-se

v.

THAYLER, et.al.  
Defendants

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WITNESS DECLARATION

CIVIL ACTION NO. \_\_\_\_\_

I am currently at the Texas Dept. of Crim. Justice, W.P. Clements unit located at 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and do declare under penalty of perjury that every one of the following questions are answered true and correct to the best of my knowledge....;

- 1) Are you now, or have you ever been ordered to work on the "DEMA" soling machine..? yes ☒ no ☐
- 2) At any time at any position you were ordered to work at, WERE YOU "TRAINED" [BY] an INMATE or CIVILIAN? (circle one)
- 3) Upon leaving one position to move to another position were you ever the one responsible 'to train' the inmate relieving you? yes ☒ no ☐

IF NEITHER, was THAT inmate trained [by] an inmate or employee [BEFORE] he relieved you? yes ☒ no ☐

- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE (CIVILIAN) "TRAIN" ANY INMATE AT ANY JOB POSITION? yes ☒ no ☐

IF YES....WHO AND WHAT JOB POSITION....HOW LONG DID THIS "TRAINING"

LAST....OR WHAT DID HIS TRAINING CONSIST OF...? Desma, + Rimmis, Boot + Shoe Carosel and Sewing Machine

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMINAR partaining to the safe operation(S) of ANY portion of YOUR JOB in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee? yes ☒ no ☐

- 6) Have you ever been injured while "EMPLOYED" to work on a "DEMA" machine..? yes ☒ no ☐

...cont....

If your answer to #6) was yes, please state the date (approx.) the incident occurred (11 - 3 - 2011) and briefly describe your injuries;

MACHINE CLOSED ON HAND FISSURE CAUSING SLIGHT  
INJURY - I HAVE BEEN CUT

7) Are you constantly awakened by TDCJ-ID W.P. Clements unit staff after rack-  
-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYENS BEING  
PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes ☒ no ☐  
and; IF YES, does it effect your awareness and attention capabilities at work...?  
yes ☒ no ☐ .....

\*\*\*IF YOU HAD AN ACCIDENT/INJURY AT WORK, WAS THIS A CONTRIBUTING FACTOR DO YOU  
THINK " ? YES ☒ NO ☐

  
Signature

Cary Simman  
Print Name

1580666  
TDCJ-ID#

9601 spur 591  
Address

W.P. Clements unit(TDCJ-ID)

Amarillo, Tx. 79107-9606

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

BACKSTROM,  
Plaintiff pro-se

§

§

WITNESS DECLARATION

v.

THAYLER, et.al.

§

~~THAYLER XXXXXXXX~~

CIVIL ACTION NO. \_\_\_\_\_

Defendants

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I am currently incarcerated at the Texas Dept. of Crim. Justice, W.P. Clements unit, located at, 9601 spur 591, Amarillo, Tx. 79107-9606. As well, in relationship to this declaration, I am currently, or have been in the past, an inmate employee in the W.P. Clements unit Shoe Factory, and declare under penalty of perjury that every one of the following questions answered are true and correct to the best of my knowledge....;

- 1) Are you now or have you ever been ordered to work on the "DESMA" soling machine " yes ☒ no \_\_\_\_\_
- 2) At any position you were ordered to work at, were you "TRAINED" [BY] an INMATE or a CIVILIAN ? (circle one)
- 3) Upon leaving one position to move into another position were you responsible 'to train the inmate relieving you ? yes ☒ no \_\_\_\_\_

IF NEITHER, WAS THAT INMATE trained [by] A CIVILIAN EMPLOYEE [BEFORE] he relieved you ? yes \_\_\_\_\_ no ☒

- 4) At any point during your tenure at the W.P. Clements unit Shoe Factory did you witness ANY EMPLOYEE "TRAIN" ANY INMATE AT ANY JOB POSITION.? yes \_\_\_\_\_ no ☒

IF YES....WHO AND WHAT JOB POSITION.....HOW LONG DID THIS "TRAINING" LAST....OR WHAT DID HIS TRAINING CONSIST OF...? \_\_\_\_\_

- 5) At ANY TIME have you participated in ANY "TRAINING" MEETING OR SIMINAR pertaining to the safe operation(S) of ANY portion of your "JOB" in the W.P. Clements unit Shoe Factory...as opposed to...simply signing a document provided by a civilian employee ? yes \_\_\_\_\_ no ☒

- 6) Have you ever been injured while "EMPLOYED" to work on a "DESMA" machine.? yes \_\_\_\_\_ no ☒ ...

.....cont.....

If your answer to #6) was yes , please state the date (approx.) the incident occurred (      -      -      ) and briefly described your injuries;

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#7) Are you constantly awakened by TDCJ-ID staff at W.P. Clements unit after rack-time (10:30 p.m.) for things such as; BED-BUG COUNT, MAIL CALL, LAYINS BEING PASSED OUT, MEAL CARDS PASSED OUT MONTHLY, etc.....? yes ☒ no ☐  
and; IF YES, does it effect your awareness and attention capabilities at work..? yes ☒ no ☐ .....

\*\*\*IF YOU HAD AN ACCIDENT /INJURY AT WORK, WAS THIS SLEEP DEPRIVATION A CONTRIBUTING FACTOR.....? yes ☐ no ☐

N/A DOES NOT PERTAIN

Signature

Print Name

TDCJ-ID#

Address;

W.P. CLEMENTS UNIT (TDCJ-ID)

AMARILLO, TX. 79107-9606





## Texas Department of Criminal Justice

# STEP 1

## OFFENDER GRIEVANCE FORM

## OFFICE USE ONLY

Grievance #: 2012038071  
 Date Received: NOV 02 2011  
 Date Due: 12-12-11  
 Grievance Code: 526  
 Investigator ID #: I1709  
 Extension Date: \_\_\_\_\_  
 Date Retd to Offender: DEC 09 2011

Offender Name: K.W. BURDEN TDCJ # 766908  
 Unit: BC-037 Housing Assignment: 4D-53-B  
 Unit where incident occurred: BC-037

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Mr Bolin & Mr. Jones When? 10/26/11  
 What was their response? There's some papers for you to read (IF YOU WANT TO) just sign it  
 What action was taken? NONE, WE WERE NOT PROPERLY SAFETY TRAINED TO CONDUCT OUR WORK

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

\*\* On the above date, at the BC-037 shoe factory, the trimers were given a sheet of paper that has lines on it for signing.....we were told to sign it.....safety training papers...(?) The officer over the trimmers, Mr. Jones failed to conduct a safety training demonstration prior to ordering his offener/workers to sign the safety training papers.

\*NOTE: This Procedure takes Place Throughout the Shoe Factory and CAUSE injury injuries.  
 \*\*\*THIS procedure is clearly improper and does not qualify as adequate safety training.....in fact, it is equivelent to FALSIFICATION OF GOV'T DOC.s.. FALSIFICATION OF GOV'T RECORD's.....SEE: TX.PenalCode §37.01; §§ 2.A.B. for def.of Gov't record.....and.....§37.10 Tampering with Gov't record; "a person commits an offense if he; (1). knowingly makes a false entry in, or false alteration of, a gov't rec'd (2). makes, presents or uses any gov't record, doc. or thing with knowledge of its falsity and with intent that it be taken as a genuine gov't rec'd. and (5). makes, presents or uses a gov't rec'd. with the knowledge of its falsity; an offense under this section is a 3rd degree felony.....FRAUD-def.; 'a knowing misrepresentation of the truth (OR) Concealment of a material fact to induce another to act to his/her detriment..fraud is USV "TORT" but, in some cases (esp. when the conduct is willfull) it may be a crime.' add/or..... INSURANCE FRAUD: def....'fraud against an insurer, as when an insured lies on a policy application or fabricates a claim.....(such as claiming a safety test or meeting was conducted when in reality it was not, and the prison staff force offenders to sign on the dotted line or suffer disc. action if they don't) ? THE ABOVE IS ONLY SOME OF THE CHARGES THAT CAN BE BROUGHT UP ON THE SHOE FACTORY SUPERVISOR(S) AND STAFF FOR FABRICATING A FALSE SAFETY ROSTER SHEET WITHOUT ACTUALLY HOLDING A MEETING OR CLASS TO PROPERLY INSTRUCT ITS WORKERS

I-127 Front (Revised 11-2010)

YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

NOV 03 2011 (OVER)  
NOV 02 2011

Appendix F

c/e on file: A.C.A.

\*\*\*NOTE: TDCJ-ID #.D. 22 code 5. a. Reckless endangerment.....would fall in this same category as well.

Officer Jones is not stopping production for a safety meeting. His supervisor(S) are not forcing him or telling him to do so either. I filed a grievance already about being forced to work in an unsafe work environment where knives are not properly sharpened or offenders properly trained to sharpen the knives nor the staff exchanging old knives so that sharpening them will not be excessively hazardous every day. NOW we are to sign a roster that says we were properly instructed in the handling of knives and sharpening of knives. NOV 0 3 2011 NOV 0 2 2011 have been given any numerous safety instructions when actually we have not !?

Action Requested to resolve your Complaint.

START STOPPING PRODUCTION FOR AN ACTUAL SAFETY MEETING ON A MONTHLY BASIS.....WITH VIDEO"s and PROPER INSTRUCTIONS AND DEMONSTRATIONS BY THE STAFF.

Offender Signature: [Signature] Date: 10/27/11

Grievance Response:

Your grievance was investigated and reviewed. Mr. Boland states you are not on his crew, Mr. Jones states he did conduct safety training on cold weather and you were given opportunity to ask any questions you may have had before signing training sheet. There was no evidence presented to support your allegations of staff misconduct. No further action is warranted.

DEC 09 2011

Signature Authority: [Signature] J. H. Adams

Date: 12/9/2011

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: \*Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. No documented attempt at informal resolution. \*
- ☐ 6. No requested relief is stated. \*
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # \_\_\_\_\_
- ☐ 10. Illegible/Incomprehensible. \*
- ☐ 11. Inappropriate. \*

UGI Printed Name/Signature: \_\_\_\_\_

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: \_\_\_\_\_

I-127 Back (Revised 11-2010)

### OFFICE USE ONLY

Initial Submission UGI Initials: \_\_\_\_\_  
 Grievance #: \_\_\_\_\_  
 Screening Criteria Used: \_\_\_\_\_  
 Date Recd from Offender: \_\_\_\_\_  
 Date Returned to Offender: \_\_\_\_\_  
 2<sup>nd</sup> Submission UGI Initials: \_\_\_\_\_  
 Grievance #: \_\_\_\_\_  
 Screening Criteria Used: \_\_\_\_\_  
 Date Recd from Offender: \_\_\_\_\_  
 Date Returned to Offender: \_\_\_\_\_  
 3<sup>rd</sup> Submission UGI Initials: \_\_\_\_\_  
 Grievance #: \_\_\_\_\_  
 Screening Criteria Used: \_\_\_\_\_  
 Date Recd from Offender: \_\_\_\_\_  
 Date Returned to Offender: \_\_\_\_\_

Appendix F

4053



Texas Department of Criminal Justice  
**STEP 2**  
**OFFENDER**  
**GRIEVANCE FORM**

## OFFICE USE ONLY

Grievance # 2012038071  
 UGI Recd Date: DEC 14 2011  
 HQ Recd Date: DEC 16 2011  
 Date Due: 1-18  
 Grievance Code: 506  
 Investigator ID #: I0317  
 Extension Date: 2-22-12

Offender Name: K.W. Burden TDCJ # 766908  
 Unit: BC-037 Housing Assignment: 4D-53-B  
 Unit where incident occurred: BC-037

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). I am dissatisfied with the response at Step 1 because..

\* Step-1 Grievance #2012038071 was not properly  
 AND unbiasedly investigated —  
 As follows;

#1. Step-1 Response clearly indicates  
 that "Only Officers" were asked  
 About safety meetings — NOT ONE  
OFFENDER was asked — ?

#2. This is a serious issue and  
 if it is not corrected offenders  
 will continue to get injured.  
 — some of them "seriously" — Ask Mike  
 Backstrom, Mayo, there are many  
 many people who have been seriously  
 injured at this Boot Factory and  
 nothing changes — ?

↑  
 This is because of grievances like mine

Not being properly & meaningfully investigated!

#3. Offenders are the only ones who "PAY THE PRICE" for this deliberate indifference to safety violations; WE get injured, -sometimes for life- AND then the blame is reversed back on US, writing US cases that could possibly cause US to lose any opportunity for parole, loss of comm. privileges, visits with our families, etc.

Offender Signature: For Lu. ReedDate: 12/14/11

Grievance Response:

Your complaint has been reviewed and noted. Review of your Step II grievance indicates no evidence or information that would warrant further investigation into your allegations. No further action is warranted.

Signature Authority: Joe HuberDate: 1-17-12

Returned because: \*Resubmit this form when corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate. \*

CGO Staff Signature: \_\_\_\_\_

## OFFICE USE ONLY

Initial Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

2<sup>nd</sup> Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

3<sup>rd</sup> Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

JMS 1 18 12

